

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

PETER ALLEN, *et al.*

Plaintiffs,

-VS.-

CARL KOENIGSMANN, *et al.*

Defendants.

ORDER TO PRODUCE

19-cv-8173 (LAP)

ECF

**TO: Superintendent, Eastern NY Correctional Facility
30 Institution Road
Napanoch, New York 12458**

WHEREAS Julio Moronta DIN #10A1697 is a putative class member in the above-captioned matter;

WHEREAS Mr. Moronta is currently in custody at Eastern NY Correctional Facility in Napanoch, New York; and

WHEREAS Mr. Moronta's testimony is needed for an evidentiary hearing in the above-captioned matter; and

WHEREAS Eastern NY Correctional Facility has already been ordered to reserve the video conferencing equipment for February 8, 2023; and

NOW THEREFORE, IT IS ORDERED that the SUPERINTENDENT OF EASTERN NY CORRECTIONAL FACILITY produce Julio Moronta on February 8, 2023 at 9:00am until his testimony is complete and/or the day's proceedings have ended to the location of the video conferencing equipment in Eastern NY Correctional Facility; and

IT IS FURTHER ORDERED that Mr. Moronta must be allowed to participate in the video proceeding in a privileged and confidential manner; DOCCS personnel must allow him to bring any legal papers Mr. Moronta has been sent by his counsel and he shall be allowed to testify without the presence of any third parties in the room, unless bona fide safety and security issues necessitate the presence of a member of DOCCS' personnel.

Dated: January 24, 2023

So ordered:



LORETTA A. PRESKA, U.S.D.J.